

The Senate Committee on Health and Human Services offered the following substitute to SB 140:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to regulation of hospitals and related institutions, so as to prohibit certain surgical
3 procedures for the treatment of gender dysphoria in minors from being performed in
4 hospitals and other licensed healthcare facilities; to provide for exceptions; to provide for
5 violations; to amend Article 1 of Chapter 34 of Title 43 of the Official Code of Georgia
6 Annotated, relating to the Georgia Composite Medical Board, so as to prohibit certain
7 surgical procedures for the treatment of gender dysphoria in minors; to provide for
8 exceptions; to provide for violations; to provide for legislative findings; to provide for related
9 matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 The General Assembly finds that:

13 (1) There has been a massive unexplained rise in diagnoses of gender dysphoria among
14 children over the past ten years, with most of those experiencing this phenomenon being
15 girls;

- (2) Gender dysphoria is often comorbid with other mental health and developmental conditions, including autism spectrum disorder;
- (3) A significant portion of children with gender dysphoria do not persist in their gender dysphoric conditions past early adulthood;
- (4) Certain medical treatments for gender dysphoria, including hormone replacement therapies and surgeries, have permanent and irreversible effects on children;
- (5) No large-scale studies have tracked people who received gender-related medical care as children to determine how many remained satisfied with their treatment as they aged and how many eventually regretted transitioning; on the contrary, the General Assembly is aware of statistics showing a rising number of such individuals who, as adults, have regretted undergoing such treatment and the permanent physical harm it caused;
- (6) Under the principle of "do no harm," taking a wait-and-see approach to minors with gender dysphoria, providing counseling, and allowing the child time to mature and develop his or her own identity is preferable to causing the child permanent physical damage; and
- (7) The General Assembly has an obligation to protect children, whose brains and executive functioning are still developing, from undergoing unnecessary and irreversible medical treatment.

SECTION 2.

Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, is amended by adding a new Code section to read as follows:

"31-7-3.5.

(a) Except as provided in subsection (b) of this Code section, none of the following irreversible procedures or therapies shall be performed on a minor for the treatment of gender dysphoria in an institution licensed pursuant to this article:

(1) Sex reassignment surgeries, or any other surgical procedures, that are performed for the purpose of altering primary or secondary sexual characteristics; or

(2) Hormone replacement therapies.

(b) The provisions of subsection (a) of this Code section shall not apply to treatment provided pursuant to an exception contained in subsection (b) of Code Section 43-34-15.

(c) The department shall establish sanctions, by rule and regulation, for violations of this Code section up to and including the revocation of an institution's permit issued pursuant to Code Section 31-7-3."

SECTION 3.

Article 1 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to the Georgia Composite Medical Board, is amending by adding a new Code section to read as follows:

"43-34-15.

(a) Except as otherwise provided in subsection (b) of this Code section, the following irreversible procedures and therapies performed on a minor for the treatment of gender dysphoria are prohibited in this state:

(1) Sex reassignment surgeries, or any other surgical procedures, that are performed for the purpose of altering primary or secondary sexual characteristics; and

(2) Hormone replacement therapies.

(b) The board shall adopt rules and regulations regarding the prohibitions contained in subsection (a) of this Code section, which shall contain limited exceptions for:

(1) Treatments for medical conditions other than gender dysphoria or for the purpose of sex reassignment where such treatments are deemed medically necessary;

(2) Treatments for individuals born with a medically verifiable disorder of sex development, including individuals born with ambiguous genitalia or chromosomal abnormalities resulting in ambiguity regarding the individual's biological sex;

76 **SECTION 4.**
77 All laws and parts of laws in conflict with this Act are repealed.

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